



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8EPR-N

September 24, 2007

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E. Room 1A
Washington D.C. 20426

Re: Draft Environmental Impact Statement for
the High Plains Expansion Project
CEQ # 20070356

Dear Ms. Bose:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4321, et. seq., and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Draft Environmental Impact Statement (Draft EIS) prepared by the Federal Energy Regulatory Commission (FERC) for construction and operation of additional natural gas pipelines and associated facilities located in Weld, Adams, and Morgan Counties, Colorado.

The pipelines and associated facilities proposed and operated by Colorado Interstate Gas (CIG) would add 899,000 dekatherms per day of natural gas transportation capacity to meet growing demands for natural gas along the Front Range of Colorado. The proposed project would involve the construction and operation of approximately 163.7 miles of 24- and 30- inch diameter pipeline in four separate pipeline segments. Associated aboveground facilities include 10 metering stations, 12 pig launchers/receivers, and 19 main line valves. Construction of the proposed project would disturb approximately 2,683 acres of land. Ninety-five percent of the land affected by construction and operation of the proposed project is privately-owned. Of this disturbance, 1,675 acres would be restored and allowed to revert to former use. Approximately 49 percent of the pipeline would be constructed on new right-of-way with a 100 foot construction right-of-way and a 50 foot wide permanent right-of-way.

The Draft EIS considers a number of various alternatives including: no action, postponed action, alternative energy sources, energy conservation, system alternatives, route variations, and aboveground facility site alternatives. The majority of these alternatives were dismissed from further comprehensive analysis with the exception of the route alternatives. Following a broad analysis, the three major route alternatives were also eliminated from further consideration due to impacts to residential and commercial development (the 5ABC route) or to increased impacts to wetlands and to the Pawnee National Grassland (the Burroughs and County Road routes). The only action alternative to be analyzed in detail was the proposed action with two FERC recommended minor route changes to avoid residential development.

Generally, EPA encourages development of proposed pipelines and transmission lines in existing corridors. However as FERC notes in the Draft EIS, the Burroughs and County Road route alternatives, which would be constructed along existing rights-of-way, each have increased impacts on wetlands, waterbodies, and grasslands than CIG's proposed alternative. EPA supports FERC's effort to avoid these additional impacts.

In completing our review, EPA has identified three primary concerns which are outlined in this letter: 1) the need for greater detail, explanation and environmental impact analysis for the pipeline crossings at perennial waters; 2) impacts due to hydrostatic pipeline testing; and 3) impacts to wetlands.

Water crossings

The proposed project would cross three perennial waterbodies and 119 intermittent waterbodies, drainages, canals and washes in the South Platte sub-regional watershed. The perennial water body crossings include two crossings of the South Platte River which would be considered sensitive because of state-listed threatened and endangered species, as well as six federal-listed species downstream of the proposed project area in Nebraska. In addition, one of the South Platte River water crossings is considered major because it would cross an area greater than 100 feet. CIG proposes to cross all three perennial waterbodies using the open cut method. The greatest potential impact on surface waters would result from sedimentation and the Draft EIS includes a number of mitigation measures to address these potential impacts. However, it is unclear from the discussion in the Draft EIS if the mitigation measures suffice or if another construction method might better mitigate the potential impacts.

Given the numerous threatened and endangered species supported by the South Platte River system and the potential for increased sedimentation, EPA recommends the Final EIS include a more detailed and robust impact analysis of other potential river crossing methods such as horizontal directional drilling (HDD). Pipeline open cut crossings may create hardened areas in the river bottom, which result in adverse affects by changing the channel and streambank morphology and affected the aquatic population. It is EPA's experience that the open cut method has the highest potential for water quality impacts when compared to the HDD method. EPA understands that the open cut method is usually the least costly to undertake, but weighted against other factors it may not be the most desired.

Hydrostatic Pipeline Testing

CIG would require approximately 29.9 million gallons of water for construction operations and hydrostatic testing of the proposed pipelines. Nearly all of the water would be withdrawn from the South Platte River and CIG has committed to discharging all water within the same drainage basin from which it is taken. EPA supports this commitment as it reduces the potential for the transfer of disease and nuisance organisms. EPA's remaining concern is that the Final EIS analyze, disclose and ultimately, address mitigation measures for the potential adverse impacts on six federally-listed endangered and threatened species and critical habitat for one endangered species.

The South Platte River system supports a number of threatened and endangered species both in Colorado and downstream in Nebraska. In Section 4.6, the Draft EIS acknowledges FERC's determination that the proposed project may adversely affect six federally listed endangered and threatened species and their designated critical habitat because of water withdrawals proposed at the South Platte River. The species potentially adversely affected include: the whooping crane (including its critical habitat), the interior least tern, the piping plover, pallid sturgeon, bald eagle and the western prairie fringed orchid. FERC has submitted a Biological Assessment for submittal to the U.S. Fish and Wildlife Service. EPA recommends the Final EIS include the Biological Opinion of the U.S. Fish and Wildlife Service and any measures that will be required of CIG to mitigate these potential adverse impacts.

Wetlands

As noted in the Draft EIS, wetlands can be a source of substantial biodiversity and serve a variety of functions including wildlife habitat, naturally improving water quality and providing flood control. Construction of the proposed pipeline route would disturb 42 wetlands, the majority of which fall under the jurisdiction of the U.S. Army Corps of Engineers. CIG would minimize impacts on these wetlands by complying with the U.S. Army Corps of Engineers Section 404 permit conditions and implementing a series of mitigation measures.

EPA generally supports CIG's proposed mitigation measures and offers the following recommendations. First as re-establishing wetlands and their functions can be very challenging, EPA recommends the wetland restoration be monitored for a minimum of five years after construction, rather than the three years proposed by CIG (page 4-26). In addition, the wetlands monitoring should include inspection and monitoring for invasive species. Finally, EPA recommends FERC and CIG provide additional discussion and explanation on the decision to locate the temporary extra workspaces up to the edge and through both wetland crossings on the South Platte River. At a minimum, EPA would like to see a 50-foot natural buffer around the wetlands.

EPA's Rating

Consistent with Section 309 of the Clean Air Act, it is EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project. Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action, EPA is rating this Draft EIS as Environmental Concerns – Insufficient Information (EC-2). The "EC" rating indicates that the EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. The "2" rating indicates that EPA has identified additional information, data, analyses or discussion that should be included in the Final EIS. A full description of EPA's EIS rating system is enclosed.

If you have any questions regarding our comments or this rating, please contact me at 303-312-6004 or Joyel Dhieux of my staff at 303-312-6647

Sincerely,

/signed/

Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

Enclosure